

CHARTER TOWNSHIP OF DELTA
Public Meeting Room A
Delta Township Administration Building
7710 West Saginaw Highway
Lansing MI 48917

**TOWNSHIP BOARD REGULAR MEETING MINUTES FOR
MONDAY, DECEMBER 3, 2012**

I. CALL TO ORDER

Supervisor Kenneth Fletcher called the meeting to order at 6:00 p.m.

II. OPENING CEREMONIES – Pledge of Allegiance

III. ROLL CALL

Members Present: Treasurer Howard Pizzo, Trustees Dennis Fedewa, Jeff Hicks, Doug Kosinski, Supervisor Fletcher, and Clerk Mary Clark

Members Absent: Trustee Karen Mojica

Others Present: Community Development Director Mark Graham, Assistant Planner Chris Gruba, Finance Director Jeff Anderson, Economic Director Ed Reed, Deputy Clerk Tracy Ruiz, Human Resource Director Linda Wells, Lt. Jeff Campbell, Firefighters Ken Barns and Mike Roman, Township Manager Richard Watkins, and Deputy Manager Jenny Roberts

TRUSTEE HICKS MOVED THAT TRUSTEE MOJICA BE EXCUSED DUE TO BEING CALLED FOR MILITARY DUTY. TRUSTEE FEDEWA SUPPORTED THE MOTION. MOTION PASSED 6-0.

IV. PRESENTATIONS AND PROCLAMATIONS

1. Special Presentation

a. Swearing in of the Township Board

Supervisor Fletcher welcomed new Board members to their first meeting of the Township Board.

The Oath of Office was administered to the Board by Deputy Clerk Tracy Ruiz.

Human Resources Generalist Linda Wells provided Board members with a brief presentation of the Township's Ethics Policy that was established in

2009 as a reaffirmation that the Township was committed to the highest standard of ethical conduct and recognition that the Township's success as a government entity depended on the talent, skills, and expertise of our public servants and our ability to function as a team. The Ethics Policy was signed by every Board member.

V. SET/ADJUST AGENDA

TRUSTEE KOSINSKI MOVED THAT THE AGENDA BE APPROVED AS PRESENTED.

TREASURER PIZZO SUPPORTED THE MOTION. MOTION PASSED 6-0.

VI. PUBLIC HEARINGS – None

VII. COMMUNICATIONS – None

VIII. PUBLIC COMMENTS FOR ITEMS NOT ON AGENDA - None

IX. INTRODUCTION OF ORDINANCES – None

X. PASSAGE OF ORDINANCES - None

XI. CONSENT AGENDA

TREASURER PIZZO MOVED THAT THE CONSENT AGENDA BE APPROVED AS PRESENTED.

TRUSTEE HICKS SUPPORTED THE MOTION.

ROLL CALL:

AYES: TREASURER PIZZO, TRUSTEE HICKS, TRUSTEE FEDEWA, TRUSTEE KOSINSKI, CLERK CLARK, AND SUPERVISOR FLETCHER

NAYS: NONE

ABSENT: TRUSTEE MOJICA

MOTION PASSED 6 TO 0.

2. Bills & Financial Transactions - \$548,072.45

TREASURER PIZZO MOVED THAT THE BILLS & FINANCIAL TRANSACTIONS BE APPROVED IN THE AMOUNT OF \$548,072.45.

Bond/Debt Payments	\$
Investments	\$
Payroll & Related	\$307,775.46
Refunds	\$ 24,078.35
Tax Distributions	\$ 84,717.27
Vendor Claims	\$131,501.37

TRUSTEE HICKS SUPPORTED THE MOTION. MOTION PASSED 6-0.

3. Minutes – November 12, 2012 Committee of the Whole Board Meeting Minutes and the November 19, 2012 Regular Board Meeting Minutes.

TREASURER PIZZO MOVED THAT THE NOVEMBER 12, 2012 COMMITTEE OF THE WHOLE BOARD MEETING MINUTES AND THE NOVEMBER 19, 2012 REGULAR BOARD MEETING MINUTES BE APPROVED AS PRESENTED.

TRUSTEE HICKS SUPPORTED THE MOTION. MOTION PASSED 6-0.

4. Sewer Capital Charge for Fed Ex, 2290 S. Canal Road – The Community Development Department recommends the Township Board accept the agreement submitted on behalf of Fed Ex to pay an estimated sewer capital charge of \$3,104.97.

TREASURER PIZZO MOVED THAT THE BOARD ACCEPT THE AGREEMENT SUBMITTED ON BEHALF OF FED EX REGARDING 2290 S. CANAL RD., PARCEL CODE NUMBER 23-040-028-400-054-00, TO PAY AN ESTIMATED SEWER CAPITAL CHARGE OF \$3,104.97. FURTHERMORE, AFTER 2 FULL YEARS OF ACTUAL USE, THIS AMOUNT MAY BE ADJUSTED TO REFLECT A BALANCE DUE. AT NO TIME WILL THE CHARGE BE LESS THAN \$1,005. THIS AGREEMENT IS BASED ON SEC. 40-512 (D) OF CHAPTER 40 OF THE CODE OF ORDINANCES.

TRUSTEE HICKS SUPPORTED THE MOTION. MOTION PASSED 6-0.

5. Board and Commission Reappointments – The Selection Committee recommends that the Township Board reappoint Charles Walker, Lisa McCormick, and Jon Wise to the Tax Board of Review.

TREASURER PIZZO MOVED THAT THE DELTA TOWNSHIP BOARD REAPPOINT THE LISTED INDIVIDUALS TO THE TAX BOARD OF REVIEW, ALL WITH TWO YEAR TERMS EXPIRING DECEMBER 31, 2014:

CHARLES WALKER
LISA MCCORMICK
JON WISE

TRUSTEE HICKS SUPPORTED THE MOTION. MOTION PASSED 6-0.

XII. ITEMS REMOVED FROM CONSENT AGENDA FOR DISCUSSION - None

XIII. ITEMS ADDED TO AGENDA UNDER SECTION V. SET/ADJUST AGENDA - None

XIV. ITEMS OF BUSINESS

- 6. 1127 Maycroft, (Delta Township) Lot Split Request** – The Community Development Department recommends that the Township Board approve the lot split described in Case No. LS-12-3.

CLERK CLARK MOVED THAT THE DELTA TOWNSHIP BOARD APPROVE THE LOT SPLIT DESCRIBED IN CASE NO. LS-12-3, PERTAINING TO LOTS 207 AND 208 OF THE BRETTON WOODS SUBDIVISION SUBJECT TO THE FOLLOWING STIPULATION:

1. THE LOT SPLIT SHALL NOT BECOME EFFECTIVE UNTIL ALL OF THE NEW LEGAL DESCRIPTIONS RESULTING FROM THE LOT SPLIT ARE RECORDED WITH THE EATON COUNTY REGISTER OF DEEDS OFFICE IN ORDER TO INSURE THAT THE RESULTANT LOT DIVISIONS BE PROPERLY INCLUDED IN THE TOWNSHIP'S PROPERTY ASSESSMENT RECORDS.

TRUSTEE HICKS SUPPORTED THE MOTION. MOTION PASSED 6-0.

XV. MANAGER'S REPORT

Mr. Watkins informed the Board of the following:

- Letters were sent out to taxpayers on Friday clarifying wrong information that was sent out in error with winter tax bills regarding the payment of summer taxes.
- The Township had been meeting with Looking Glass Fire Authority over the past month regarding next year's budget. Looking Glass has requested that the Township consider changing the fiscal year of the Township's agreement

with Looking Glass to a calendar year of April thru April. A recommendation on this item would be presented to the Board at their next meeting.

- The Township was keeping track of proposed Personal Property Tax legislation and how it would affect the Township.
- The Township was currently putting together a procedure where all Board members would receive I-Pads as a new way of communication and receiving Board agenda materials. The new system would be up and running by January, 2013.

XVI. COMMITTEE OF THE WHOLE

7. Proposed Ordinances Discussion – Accosting and Curfew for Minors - Lt. Jeff Campbell

Lt. Jeff Campbell said there had been an on-going effort to adopt ordinances that would assist the Sheriff Department's enforcement capabilities. He noted that last spring, the Township adopted a "Panhandling" ordinance, but shortly after the ordinance was approved, a municipality in the Grand Rapids area had portions of a similar ordinance overturned because it violated free speech rights and was deemed unconstitutional. Lt. Campbell said as a result of that case, Delta's Panhandling ordinance would be amended to address the problems that were caused by panhandling in Delta that were not protected by free speech.

Treasurer Pizzo inquired about the problems the Township had experienced with panhandling.

Lt. Campbell said the typical complaint the Sheriff's Department received was from shoppers at various businesses who had been approached by someone. Lt. Campbell noted that if the person didn't actually assault anyone, or commit another crime, absent the Panhandling ordinance, his deputies wouldn't be able to enforce anything due to the fact that under trespassing, persons had to be asked to leave the premises first before they could be arrested. Lt. Campbell said the Panhandling ordinance provided the Sheriff's Department the ability to take enforcement action on someone that was intimidating, harassing, or accosting someone.

Trustee Kosinski asked if deputies were briefed on the intent of the ordinance.

Lt. Campbell noted that he always debriefed his deputies on new ordinances, as well as consulted with the Eaton County Prosecutor on different scenarios and drawbacks of the ordinance.

Lt. Campbell informed the Board that the Sheriff's Department didn't experience a major problem with accosting and curfew for minors, but he noted that State law was more difficult to enforce and that the proposed Accosting and Curfew for Minors ordinance would provide better enforcement capabilities, as well as contain a parental responsibility element that would make it easier for the prosecutors office to deal with repeat offenders.

Trustee Kosinski expressed concerns with language contained in Section 3(D) and Section 4(D) "Parental Responsibility" and the fact that the language may suggest that minors that were out after curfew were prima-facie evidence of parental permission.

Lt. Campbell said the proposed language was written to deal with situations where parents were aiding and abetting. He noted that at the present time, there was nothing the Sheriff's Department could use to enforce parental responsibility. He acknowledged the fact that the language left it open ended, but the department would use discretion when enforcing the ordinance.

Treasurer Pizzo asked where such an ordinance had been used successfully.

Lt. Campbell said the proposed ordinance was drafted by the Township's Attorney using language from other municipality's ordinances that had been successful with their enforcement efforts.

It was the general consensus of the Board to bring this item back to the Board for further discussion.

8. Proposed Full-Time Position in Parks & Recreation – Richard Watkins

Mr. Watkins said during the 2012 budget process, the Parks & Recreation Department had requested to make a part-time secretarial position a full-time position. He noted that the budget had recommended a split position that included two, part-time positions to cover an eight hour day, 40 hours a week. Mr. Watkins said during his meetings with Fire Department personnel and the union, there had been a consistent request for a quality control person in the EMS area and more consistent training. He said due to the fact that the part-time position in the Park's Department had recently become vacant, he felt it was a good time to look at how the request from the Fire Department could be accommodated. At the present time, there were two secretarial positions in the Fire Department and that one secretary handled all of the billing for the Township's EMS. Mr. Watkins stated that in the past, the billing process had been a very involved process, but with advancements in technology, the work load had lessened. It was felt that the secretarial position would be better served by a training officer/EMS coordinator and eliminate the need for two secretaries in the department. Mr. Watkins said he wanted to bring this issue

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to the Board for their input so that a decision could be made by the first of the year. Fire Union President Ken Barns and Captain Mike Roman were present to answer any questions the Board may have.

Ken Barns, President of Delta Township's Firefighters Union, stated that during discussions between the union, the Township Manager, and the Fire Chief, one of the major concerns that had been expressed was not having a training captain. Mr. Barns stated that the department's last EMS coordinator retired in 2001 and the department's last training chief was in 2004 and eventually, training became the responsibility of the officers. Mr. Barns stated that the number of EMS runs had increased significantly since 2001, as well as the Township's response area, and that assurances needed to be made that personnel was meeting the high standards for patient care and report writing. Mr. Barns indicated that everyone was in agreement that the proposal set forth this evening would be very beneficial for the Fire Department and community.

Captain Roman said he had been put in place as the training officer and setting up next year's training calendar. He noted that the duties of a training officer were very time consuming and that he didn't have any extra time to spend with his own shift. Mr. Roman stated that the need for a person to oversee training was overdue and that it would take some of the burden off the chief and put everything in place as the department moved into the future.

Clerk Clark said through her volunteer work as a victim advocate, she could say that Delta had outstanding EMS personnel. She felt training and the coordination of training was very critical in keeping up the high level of service. Ms. Clark supported the move and felt it was in the best interest of the residents, as well as Fire Department personnel. She questioned if the other secretary in the department would be taking over the billing responsibilities.

Mr. Watkins noted that the details had not been worked out as of yet, but the other secretary would probably pick up the bulk of the billing responsibilities.

Treasurer Pizzo said he had always been impressed with the Fire Department's focus on continuous improvement to the department's functions and meeting future challenges. He questioned what level the position would be filled at.

Mr. Watkins said at this point, it was anticipated that the position would be a captain level position. He noted that the Management Union Committee was working through the details in order to come up with qualifications and requirements for the position. From his initial review, there were several individuals within the department that would be qualified.

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Trustee Fedewa questioned whether there had ever been any performance audits done or was this something that had been discussed internally.

Mr. Watkins said the Township had conducted performance analysis in the past, but they also considered the volume of EMS runs, response times, and so forth. However, he noted that a performance analysis had not been done on a training officer.

Trustee Kosinski inquired about the net cost of the proposal.

Mr. Watkins said there would be some additional costs involved. He estimated that it would cost the General fund approximately \$35,000 to \$40,000, however, he pointed out that there was a \$70,000 surplus in the General Fund to handle the additional costs within the Parks Department and that the additional costs in the Fire Department would be handled by the Paramedic Fund which was a separate fund.

It was the general consensus of the Board that this matter would be brought back for discussion at their next meeting.

XVII PUBLIC COMMENTS - None

XVIII ADJOURNMENT

Supervisor Fletcher adjourned the meeting at 6:53 p.m.

CHARTER TOWNSHIP OF DELTA

KENNETH FLETCHER, SUPERVISOR

MARY CLARK, CLERK